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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Silva	)	Art Unit: 1794
	)	
Serial No.: 10/801,270	)	Examiner: Kiliman
	)	
Filed: March 16, 2004	)	HSJ920040054US1
	)	
For: SYSTEM AND METHOD FOR CONTROLLING	)	November 19, 2008
WRITE TO MINIMIZE ATI AND SQUEEZE	)	750 B STREET, Suite 3120
EFFECTS	)	San Diego, CA 92101
	)	

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks

Dear Sir:

This responds to the Office Action dated November 14, 2008. The Office Action follows an appeal brief by levying new grounds for rejection. As such, although it doesn't say so the Office Action represents a reopening of prosecution, but it lacks the required SPE approval, MPEP §1207.04.

1189-27.AM3